

**IN THE MUNICIPAL COURT OF THE CITY OF WEST LINN
COUNTY OF CLACKAMAS, STATE OF OREGON**

THE CITY OF WEST LINN,)	
)	
Plaintiff,)	
)	PETITION TO ENTER PLEA OF
vs.)	GUILTY/NO CONTEST
)	
)	CASE NO. _____
_____)	
)	
Defendant.)	

1. RIGHTS

I know I can plead NOT GUILTY and go to trial on any charges. If I plead Guilty or No Contest, I give up all of the following rights: (1) a speedy trial, (2) a trial by jury or a judge, (3) face and question witnesses called against me, (4) make the City Attorney prove my guilt beyond a reasonable doubt, (5) force evidence in my favor to be brought forward and force witnesses to testify on my behalf, (6) have a lawyer help me at all times during my case and, (7) testify for myself, but if I do not testify, my silence cannot be used against me.

2. My name is: _____, I am also know as: _____.
I wish to plead Guilty/No Contest to and admit I did commit the following crime(s): _____

3. NO ONE HAS THREATENED ME OR PROMISED ME ANYTHING TO PLEAD GUILTY/NO CONTEST.

I know the City Attorney may recommend a sentence and that I, or my attorney, may recommend a sentence. I know the Judge is not required to follow anyone's recommendation, and it is possible that I could receive the maximum sentence. I have been told the City Attorney will recommend the following sentence (complete if applicable):

4. I understand the possible maximum sentence and the sentencing guidelines presumptive sentence for my crime(s) is:

COUNT#/CHARGE	MAXIMUM SENTENCE	REQUIRED MINIMUM
_____	_____	_____
_____	_____	_____

In addition to the sentence imposed, I understand that there may be other significant consequences if I enter a "guilty" plea, including but not limited to: the loss of my right to use, possess, receive, ship, or transport any firearm or firearm ammunition if I am convicted of an offense involving domestic violence, as defined by ORS 135.230; or prohibition from leaving the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

5. PAROLE/PROBATION

I understand that if I am on parole or probation, a conviction in this case could cause my probation or parole to be revoked and I could receive an additional sentence because of this plea.

_____ I am not on probation or parole for any crimes.
_____ I am on probation or parole for the crime(s) of _____

6. AGE, EDUCATION, CITIZENSHIP

My age is _____. The highest grade I completed in school was _____. _____ I am _____ I am not a citizen of the United States. I understand that if I am not a citizen of the United States, a criminal conviction could cause me to be deported, denied United States citizenship, or refused the right to re-enter the United States.

7. STATEMENT OF VOLUNTARY PLEA OF GUILTY/NO CONTEST

I believe my lawyer has done all that anyone could do to counsel and assist me. I AM SATISFIED WITH THE ADVICE AND HELP GIVEN TO ME; I recognize that if I have been told by my lawyer that I might receive probation or a light sentence, this is merely his/her prediction and is not binding on the Court. I OFFER MY PLEA OF "GUILTY/NO CONTEST" FREELY AND VOLUNTARILY AND OF MY OWN ACCORD AND WITH FULL UNDERSTANDING OF ALL THE MATTERS SET FORTH IN THE COMPLAINT AND IN THIS PETITION AND IN THE CERTIFICATE OF MY LAWYER WHICH FOLLOWS.

Signed: _____

Date: _____

Address: _____

Phone: _____

8. CERTIFICATE OF COUNSEL

I have reviewed with the defendant his petition, the facts for this case, all discovery, applicable law, possible sentences, defenses and motions and believe there is a factual basis for the defendant's plea of guilty/no contest. To my knowledge, the plea is being freely and voluntarily entered.

Signed: _____

Dated: _____

Attorney's Printed Name: _____

Bar No.: _____

9. APPEAL RIGHTS

Everyone convicted of a crime has a right to appeal. If you PLEAD GUILTY/NO CONTEST, your appeal is limited to whether the sentence is unlawful or is cruel and unusual. If you went to trial and were found GUILTY, your appeal could be based on whether the trial contained legal errors and whether the sentence is unlawful or is cruel and unusual.

To begin an appeal, you must file a Notice of Appeal, meeting the requirements of Oregon law, with the Clerk of the Oregon Court of Appeals, 1163 State Street NE, Salem, OR 97301, within 30 days of the day you are sentenced. Copies of the Notice must be served on the City Attorney, the Municipal Court Supervisor and the Attorney General. If you want a transcript of the trial or sentencing, a copy must also be served on the Trial Court Transcript Coordinator. If you cannot afford an attorney, the State Public Defender may be appointed for your appeal. You can contact them at their address: 1175 Court Street NE, Salem, OR 97301.

If you are in custody, the Trial Judge may decide whether to release you or allow you to post bail during your appeal.

BY SIGNING THIS FORM YOU ARE TELLING THE COURT YOU UNDERSTAND THESE RIGHTS.

Dated this _____ day of _____, 20_____

Defendant's Signature

Defendant's Attorney Signature